

ORDINANCE NO. 2022-04

AN ORDINANCE AMENDING THE CENTERVILLE CITY ZONING MAP BY CHANGING THE ZONING OF APPROXIMATELY 0.18 ACRES OF CERTAIN REAL PROPERTY LOCATED AT APPROXIMATELY 295 EAST 300 NORTH FROM RESIDENTIAL-LOW (R-L) TO RESIDENTIAL-MEDIUM (R-M)

WHEREAS, the City is authorized to enact a zoning map consistent with the purposes set forth in the Utah Land Use Development and Management Act, as more particularly provided in Utah Code §§ 10-9a-101, *et seq.*, as amended, and the City is further authorized to make amendments to such zoning map in accordance with procedures set forth in Utah Code. § 10-9a-503, as amended; and

WHEREAS, in accordance with applicable provisions of Utah law and the goals of the Centerville City General Plan for the subject property, the City Council desires to amend the Centerville City Zoning Map to rezone the subject property from Residential-Low (R-L) to Residential-Medium (R-M) as more particularly provided herein; and

WHEREAS, the proposed amendments to the Centerville City Zoning Map for the Bowler property at 295 East 300 North as set forth herein have been reviewed by the Planning Commission and the City Council and all appropriate public noticing and hearings have been provided and held in accordance with Utah law to obtain public input regarding the proposed revisions to the Zoning Map.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH, AS FOLLOWS:

Section 1. Zone Map Amendment. The real property located at approximately 295 East 300 North in Centerville City consisting of approximately 0.18 acres as more particularly described in **Exhibit A**, attached hereto and incorporated herein by this reference, is hereby rezoned from Residential-Low (R-L) to Residential-Medium (R-M) and the Centerville Zoning Map is correspondingly amended as described herein.

Section 2. Findings. The rezone of the subject property to from Residential-Low (R-L) to Residential-Medium (R-M) is based on the following findings:

- (a) The Planning Commission finds that there has been a sufficient review and consideration of the criteria outlined in CZC 12.21.080(e) of the Zoning Code for considering a rezone.
- (b) The Planning Commission finds that the zone map amendment is substantially consistent with the goals of the General Plan, as described in the staff report.

Section 3. Severability. If any section, part, or provision of this Ordinance is held invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts, and provisions of this Ordinance shall be severable.

Section 4. Effective Date. This Ordinance shall become effective upon publication or posting, or thirty (30) days after passage, whichever occurs first.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY,
STATE OF UTAH, THIS 15th DAY OF FEBRUARY, 2022.**

ATTEST:

CENTERVILLE CITY

Jennifer Hansen
Jennifer Hansen, City Recorder

By: Clark A. Wilkinson
Mayor Clark A. Wilkinson

Voting by the City Council:

	“AYE”	“NAY”	“ABSENT”
Councilmember Hirst	<u>X</u>	_____	_____
Councilmember Ince	<u>X</u>	_____	_____
Councilmember McEwan	<u>X</u>	_____	_____
Councilmember Meham	<u>X</u>	_____	_____
Councilmember Summerhays	_____	_____	<u>X</u>

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provisions of the U.C.A. § 10-3-713, as amended, I, the municipal recorder of Centerville City, hereby certify that foregoing ordinance was duly passed by the City Council and published, or posted at: (1) 250 North Main; (2) 655 North 1250 West; and (3) RB’s Gas Station, on the foregoing referenced dates.

Jennifer Hansen
JENNIFER HANSEN, City Recorder

DATE: 2-16-2022

RECORDED this 16th day of February, 2022.

PUBLISHED OR POSTED this 16th of February, 2022.



EXHIBIT A

**Slagowski / Morris
Rezone Property Description**

All of Parcel No. 02-099-0030

BEG AT A PT 380 FT W & 132 FT S FR NE COR LOT 8, BLK D, PLAT NMC,
CENTERVILLE TS SURVEY; TH W 100 FT; TH S 80 FT; TH E 100 FT; TH N 80 FT TO
POB. CONT. 0.185 ACRES.